

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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FISCAL IMPACT STATEMENT

LS 6415
BILL NUMBER: SB 160

NOTE PREPARED: Dec 20, 2011
BILL AMENDED:

SUBJECT: Local Funds.

FIRST AUTHOR: Sen. Smith J
FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: *County Funds:* The bill specifies that money in certain county funds may be paid from those funds only upon appropriation by the county fiscal body. (Current law governing those funds allows money to be paid or distributed from the funds without appropriation.)

Supplemental Juvenile Probation Services Fund: It provides that money in the county supplemental juvenile probation services fund shall be appropriated by the county fiscal body only for the use by the courts in providing probation services to juveniles and to pay part or all of the salaries of juvenile probation officers. (Under current law, money in the fund may be appropriated only for supplementing those services and for supplementing those salaries.) It specifies that the county fiscal body determines the amount of any appropriations made from the fund. It also repeals a provision specifying that the fund may not be used to replace other funding or probation services.

Supplemental Adult Probation Services Fund: The bill provides that money in the county supplemental adult probation services fund or the local supplemental adult probation services fund may be used only to provide probation services and to pay part or all of the salaries for probation officers. (Under current law, money in the fund may be appropriated only for supplementing those services and supplementing those salaries.) It specifies that the county fiscal body determines the amount of any appropriations made from the county supplemental adult probation services fund, and the city or town fiscal body determines the amount of any appropriations made from the local supplemental adult probation services fund. The bill also repeals a provision specifying that administrative fees deposited into a county or local supplemental probation services fund may be used only to pay for salary increases required under the probation officers salary schedule that became effective January 1, 2004.

Commissary Fund: The bill requires the county sheriff to provide monthly a copy of the receipts and disbursements from the commissary fund to the county fiscal body. (Current law requires this reporting to be done semiannually.)

Effective Date: July 1, 2012.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: To the extent that a county fiscal body does not appropriate funds, the bill could reduce expenditures. However, the fiscal impact is indeterminate, based on the action of county fiscal bodies.

Additionally, the bill could provide additional resources to pay juvenile and adult probation personnel costs by removing the requirement that certain funds be expended to supplement probation services or the salaries of probation officers. The fiscal impact of this provision will depend on the decisions of the county fiscal body in funding probation services.

Background: The table below shows the county official currently charged with expending funds without appropriation by the county fiscal body, the fund affected, and the purpose for which the funds may be expended. Under the bill, all of these would require the county fiscal body to appropriate the funds before expenditures are made.

Official	Fund	Purpose of Expenditure
County Auditor	County Property Reassessment Fund	Pay the cost of a contractor for assessment or reassessment.
County Auditor	A special nonreverting fund	Pay the cost of contractor to find undervalued or omitted property.
Not Indicated	County General Fund	Make principle or interest payment if the levy is insufficient.
County Sheriff or Fiscal Body	Special Account within the County General Fund	Provide law enforcement on lakes located within the county.
Not Indicated	County General Fund	Pay the costs of a pound if the state veterinarian declares a quarantine.
Prosecuting Attorney	Prosecuting Attorney's Child Services Collections Account	Enhanced enforcement and collection of parental obligations.
County Recorder	Recorder's Records Perpetuation Fund	Preservation of records and improvement of record keeping systems and equipment.
County Sheriff or Sheriff's Designee	Money from commissary sales	Multiple purposes concerning commissary and law enforcement.

Revenue Sources for Probation Funds: Statewide in 2010, counties received \$14.8 M from adult probation user fees and \$1.4 M from juvenile user fees generated by circuit, superior, and probate courts. City and town

courts generated adult probation users fees of \$94,573. Statewide, county probation officer expenditures totaled \$57.8 M and for cities and towns \$1.5 M in 2010. The table below shows the revenue sources for the probation funds affected by the bill.

Fund	Revenue Source	Fee
County Supplemental Juvenile Probation Services Fund	Initial Probation User's Fee	Between \$25 and \$100
	Probation User's Fee	Between \$10 and \$25
	Administrative Fee	\$100
County Supplemental Adult Probation Services Fund	<u>Initial Probation User's Fee</u> Felony Offender	Between \$25 and \$100
	Misdemeanor Offender	Not more than \$50
	<u>Monthly Probation User's Fee</u> Felony Offender	Between \$15 and \$30
	Misdemeanor Offender	Between \$10 and \$20
	<u>Administrative Fee</u> Felony Offender	\$100
	Misdemeanor Offender	\$50
Local Supplemental Adult Probation Services Fund	Initial Probation User's Fee - Misdemeanor	Not more than \$50
	Monthly Probation User's Fee - Misdemeanor	Between \$10 and \$20
	Administrative Fee - Misdemeanor	\$50

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: County fiscal bodies; various county officials.

Information Sources: *Indiana Trial Court Statistics*, 2010.

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